

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1665A

1 WHEREAS, Chateau Development has submitted an application designated
2 as Special Permit No. 1665A for authority to amend Van Dorn Meadows Community Unit
3 Plan to add 17 dwelling units for a total of 465 dwelling units and to adjust the maximum
4 height in the R-4 zoning district on property located at 72nd Street and Van Dorn Street,
5 and legally described to wit:

6 Lot 1, Van Dorn Meadows Addition; a portion of Outlot "D",
7 Block 3, Van Dorn Meadows Addition; Outlot "C", Block 4, Van
8 Dorn Meadows Addition; Lots 1 and 2, Block 4, Van Dorn
9 Meadows Addition; Outlot "B", Van Dorn Meadows 1st
10 Addition; Lots 1 thru 4, Van Dorn Meadows 3rd Addition; Lot
11 1, Block 1, Van Dorn Meadows 4th Addition; Lots 1 thru 14,
12 Block 2, Van Dorn Meadows 4th Addition; and Outlots "A", "B",
13 and "C", Block 1, Van Dorn Meadows 4th Addition; Lincoln,
14 Lancaster County, Nebraska, and more particularly described
15 as follows:

16 Commencing at the northeast corner of the West Half of the
17 Northwest Quarter of said Section 3; thence on an assumed
18 bearing of south 00 degrees 02 minutes 55 seconds east along
19 the east line of the West Half of the Northwest Quarter of said
20 Section 3, a distance of 40.00 feet to the northeast corner of
21 said Lot 1 Van Dorn Meadows Add., said point being the true
22 point of beginning; thence south 00 degrees 02 minutes 55
23 seconds east along the east line of the West Half of the
24 Northwest Quarter of said Section 3, a distance of 2,623.27
25 feet to the southeast corner of the West Half of the Northwest
26 Quarter of said Section 3; thence south 89 degrees 10 minutes
27 23 seconds west along the south line of the Northwest Quarter
28 of said Section 3, a distance of 993.65 feet to the southwest
29 corner of said Outlot "C", Block 4, Van Dorn Meadows
30 Addition; thence north 00 degrees 00 minutes 44 seconds west
31 along the west line of said Outlot "C", a distance of 499.65 feet
32 to the northeast corner of Lot 3 I.T.; thence south 89 degrees

1 14 minutes 10 seconds west along the south line of said Outlot
2 "C", a distance of 260.10 feet to the southwest corner of said
3 Outlot "C", said point being 71.00 feet east of the west line of
4 said Section 3; thence north 00 degrees 00 minutes 00
5 seconds east along the west line of said Outlot "C", said line
6 being 71.00 feet east of and parallel with the west line of said
7 Section 3, a distance of 412.32 feet to the northwest corner of
8 said Outlot "C"; thence south 90 degrees 00 minutes 00
9 seconds east along the north line of said Outlot "C", a distance
10 of 40 feet to a point; thence north 00 degrees 00 minutes 00
11 seconds east, a distance of 80.00 feet to a point on the north
12 right-of-way line of Holmes Park Road; thence north 90
13 degrees 00 minutes 00 seconds east along the north right-of-
14 way line of Holmes Park Road, a distance of 35.11 feet to a
15 point of curvature; thence along a curve having a radius of
16 190.00 feet, arc length of 99.48 feet, delta angle of 30 degrees
17 00 minutes 00 seconds, a chord bearing of south 75 degrees
18 00 minutes 00 seconds east along the north right-of-way line
19 of Holmes Park Road, and a chord length of 98.35 feet to a
20 point of tangency; thence south 60 degrees 00 minutes 00
21 seconds east along the north right-of-way line of Holmes Park
22 Road, a distance of 250.00 feet to a point of intersection with
23 the west right-of-way line of South 72nd Street; thence north
24 30 degrees 00 minutes 00 seconds east along the west right-
25 of-way line of South 72nd Street, a distance of 194.98 feet to
26 a point of curvature; thence along a curve having a radius of
27 722.74 feet, arc length of 302.76 feet, delta angle of 24
28 degrees 00 minutes 06 seconds, a chord bearing of north 18
29 degrees 00 minutes 03 seconds east along the west right-of-
30 way line of South 72nd Street, and a chord length of 300.55
31 feet to a point of tangency; thence north 06 degrees 00
32 minutes 00 seconds east along the west right-of-way line of
33 South 72nd Street, a distance of 196.84 feet to a point of
34 curvature; thence along a curve having a radius of 120.00 feet,
35 arc length of 9.59 feet, delta angle of 38 degrees 00 minutes
36 04 seconds, a chord bearing of north 13 degrees 00 minutes
37 02 seconds west along the west right-of-way line of South
38 72nd Street, and a chord length of 78.14 feet to a point of
39 compound curvature; thence along a curve having a radius of
40 520.00 feet, arc length of 290.43 feet, delta angle of 32
41 degrees 00 minutes 04 seconds, a chord bearing of north 16
42 degrees 00 minutes 02 seconds west along the west right-of-
43 way line of South 72nd Street, and a chord length of 286.67
44 feet to a point of tangency; thence north 00 degrees 00
45 minutes 12 seconds west along the west right-of-way line of

1 South 72nd Street, a distance of 123.99 feet to a point; thence
2 south 89 degrees 30 minutes 35 seconds west, a distance of
3 9.98 feet to the southeast corner of Lot 45 I.T.; thence north 00
4 degrees 00 minutes 00 seconds east along the east line of Lot
5 45 I.T., a distance of 666.99 feet to the northeast corner of Lot
6 45 I.T., said point being 40.00 feet south of the north line of
7 said Section 3; thence north 89 degrees 30 minutes 35
8 seconds east along the south right-of-way line of Van Dorn
9 Street, said line being 40.00 feet south of and parallel with the
10 north line of said Section 3, a distance of 760.56 feet to the
11 point of beginning, said tract and contains a calculated area of
12 52.20 acres, or 2,273,668.55 square feet.

13 WHEREAS, the real property adjacent to the area included within the site
14 plan for this community unit plan will not be adversely affected; and

15 WHEREAS, said site plan together with the terms and conditions hereinafter
16 set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal
17 Code to promote the public health, safety, and general welfare.

18 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
19 Lincoln, Nebraska:

20 That the application of Chateau Development, hereinafter referred to as
21 "Permittee", to amend Van Dorn Meadows Community Unit Plan to add 17 dwelling units
22 for a total of 465 dwelling units and to adjust the maximum height in the R-4 zoning district
23 on the above-described property be and the same is hereby granted under the provisions
24 of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that
25 development of said community unit plan be in strict compliance with said application, the
26 site plan, and the following additional express terms, conditions, and requirements:

27 1. This permit approves 465 dwelling units and adjusts the maximum
28 allowable height in the R-4 zoning district from 35 feet to 38 feet.

2. Before receiving building permits:
 - a. The Permittee must submit a revised and reproducible final plan and 5 copies to the Planning Department.
 - b. The construction plans must conform to the approved plans.
3. Before occupying the new dwelling units all development and construction must be completed in conformance to the approved plans.
4. All privately-owned improvements must be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
5. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
6. The terms, conditions, and requirements of this resolution shall be binding and obligatory upon the Permittee, its successors, and assigns. The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.
7. The Permittee shall sign and return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

1 8. The site plan as approved with this resolution voids and supersedes
2 all previously approved plans.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Approved this ____ day of _____, 2001:

Mayor